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Schiff Hardin & Waite  
Patent Department  
6600 Sears Tower  
Chicago, IL 60606

In re Application of	:	
LARSSON, Berit et al.	:	DECISION ON
Application No.: 10/030,931	:	
PCT Application No.: PCT/SE00/01306	:	PETITION
International Filing Date: 19 June 2000	:	
Priority Date: 09 July 1999	:	UNDER 37 CFR 1.137(b)
Attorney Docket No.: P01,0579	:	
For: IMPLANTABLE HEART STIMULATOR	:	

Applicants' "Petition For Revival of an International Application For Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)," filed in the United States Patent and Trademark Office on 11 January 2002 is **GRANTED**.

### **BACKGROUND**

On 19 June 2000, applicants filed international application number PCT/SE00/01306, which claimed a priority date of 09 July 1999. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) by the International Bureau on 18 January 2001. On 04 December 2000, a demand for international preliminary examination, in which the United States was elected, was filed prior to the expiration of nineteen months from the priority date. The deadline for entry into the United States National Stage was thirty months from the priority date, that is 09 January 2002.

On 11 January 2002, applicants filed a transmittal letter for entry into the national stage in the United States, accompanied by, *inter alia*, a petition to revive and the basic national fee.

### **DISCUSSION**

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

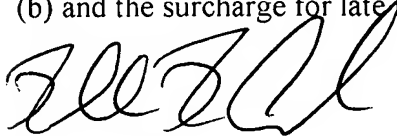
Applicants' statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was

unintentional," satisfies the requirements of 37 CFR 1.137(b)(3). Applicants have paid both the petition fee and the basic national fee. A terminal disclaimer is not required as application was filed on after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

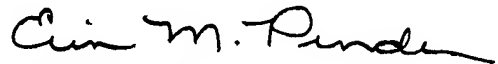
### CONCLUSION

The petition to revive the application abandoned under 37 CFR 1.137(b) is GRANTED as to the National Stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing, including preparation of a Notification of Missing Requirements indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the oath or declaration are required.



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